

Order

Michigan Supreme Court
Lansing, Michigan

April 6, 2016

Robert P. Young, Jr.,
Chief Justice

151800

Stephen J. Markman

Brian K. Zahra

Bridget M. McCormack

David F. Viviano

Richard H. Bernstein

Joan L. Larsen,

Justices

CLAM LAKE TOWNSHIP and HARING
CHARTER TOWNSHIP,
Appellants,

v

SC: 151800

COA: 325350

Wexford CC: 2014-025391-AA

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS / STATE
BOUNDARY COMMISSION, TERIDEE LLC,
and CITY OF CADILLAC,
Appellees.

On order of the Court, the application for leave to appeal the May 26, 2015 order of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed: (1) whether the State Boundary Commission (SBC) has the authority to determine the validity of an agreement made pursuant to the Intergovernmental Conditional Transfer of Property by Contract Act, 1984 PA 425, MCL 124.21 *et seq.* (Act 425); (2) if so, whether the SBC in this case properly determined that the appellant townships' Act 425 Agreement was invalid; and (3) whether, despite the language of MCL 117.9(6) and MCL 123.1012(3) (providing a two-year waiting period before resubmission of a petition for annexation), the doctrine of collateral estoppel applied to invalidate the SBC's 2014 approval of the appellee property owner's petition for annexation on the basis of the SBC's denial of the same property owner's petition in 2012.

We further ORDER that this case be argued and submitted to the Court together with the case of *TeriDee LLC v Haring Charter Twp* (Docket No. 153008), at such future session of the Court as both cases are ready for submission. In light of the joint submission, the time allotted for oral argument shall be limited to fifteen minutes per side in each case. MCR 7.314(B)(1). Motions for permission to file briefs amicus curiae and briefs amicus curiae regarding these two cases should be filed in *Clam Lake Twp v Department of Licensing and Regulatory Affairs* (Docket No. 151800) only and served on the parties in both cases.



a0330

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 6, 2016

Clerk